

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R. No.5404 of 2007
Date of Decision:18.10.2007**

Soma Rani

.....Petitioner

**Vs.
Chaman Singh**

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. Deepak Arora, Advocate for the petitioner.

Rajesh Bindal, J.

The prayer made in the present petition is for setting aside of order dated 6.10.2007 (Annexure P-5) passed by the Civil Judge (Senior Division), Gurdaspur rejecting the objections filed by the petitioner in execution of decree dated 29.7.2006 whereby the petitioner has been directed to hand over the possession of the premises to the respondent. The objection was raised to the effect that the petitioner has already filed appeal against the judgment and decree and the same was pending consideration along with an application for interim relief.

Learned counsel for the petitioner confines this petition with a prayer for a direction to the Additional District Judge where the appeal against the judgment and decree is pending, to decide the application for interim relief on the date already fixed there for, i.e., 19.10.2007. Prayer made is innocuous. For the view I am taking in the present petition, I don't deem it appropriate to issue notice to the respondent as the same will further delay disposal of case.

A perusal of the zimni orders before the learned Appellate Court show that after issue of notice in the application on 20.4.2007, for four dates, the hearing was adjourned for the reason that the Presiding Officer was on leave.

Keeping this and the fact that execution petition is pending, the learned Additional District Judge is directed to decide the prayer for interim

relief made by the petitioner on the date already fixed for the same, i.e., 19.10.2007.

The petition is disposed of accordingly.

Copy of the order be given dasti under the signatures of Bench Secretary.

October 18, 2007
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(RAJESH BINDAL)
JUDGE